

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADAM NOWICKI,

Plaintiff,

-v-

NATIONAL RAILROAD PASSENGER CORP.,

Defendant.
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19-CV-9595 (JMF)

MEMORANDUM OPINION
AND ORDER

JESSE M. FURMAN, United States District Judge:

Plaintiff Adam Nowicki initiated this action under the Federal Employers' Liability Act ("FELA"), 45 U.S.C. §§ 52 *et seq.*, by filing a Complaint on October 17, 2019. ECF No. 1. The allegations concern an injury Plaintiff sustained while working in Sunnyside Yard, Queens, New York — which is located in the Eastern District of New York, not the Southern District. *Id.* ¶ 10. Although the Court gave Plaintiff two opportunities to show cause why the case should not be transferred in the interest of justice, *see* ECF Nos. 6, 9, Plaintiff failed to do so, responding only that venue is proper in the Southern District of New York. *see* ECF No. 8.

Under Section 1404(a), the Court may transfer the case "to any other district . . . where it might have been brought" "[f]or the convenience of the parties and witnesses" and "in the interest of justice." 28 U.S.C. § 1404(a). Given that the events giving rise to Plaintiff's claims substantially occurred in Queens, this case could properly have been brought in the Eastern District. *See* 28 U.S.C. § 1391(b). The Court finds that the convenience of the parties and witnesses and the interest of justice would be served by transferring the case there.

Accordingly, the Clerk of Court is directed to transfer this case to the Eastern District of New York forthwith (i.e., without waiting the seven days specified in Local Civil Rule 83.1) and to close the case on this Court's docket.

SO ORDERED.

Dated: October 31, 2019
New York, New York



JESSE M. FURMAN
United States District Judge